

NATURAL RESOURCE COMMISSION[571]

Adopted and Filed

Pursuant to the authority of Iowa Code section 455A.5(6), the Natural Resource Commission hereby amends Chapter 61, "State Parks and Recreation Areas," and Chapter 62, "State Forest Camping," Iowa Administrative Code.

The amendments:

1. Establish the percentage of campsites that may be reserved to no less than 50 percent and up to no more than 75 percent.
2. Remove the 3 percent credit card processing fee referenced throughout the rules.
3. Establish an online reservation change fee of \$5 and increase the call center change fee to \$7.
4. Establish an online cancellation fee of \$5 and increase the call center cancellation fee to \$7.
5. Change the last day to make a rental facility reservation during the off season to seven days prior to the arrival date.

Notice of Intended Action was published in the Iowa Administrative Bulletin on October 6, 2010, as **ARC 9118B**. A public hearing was held October 26, 2010, at the Wallace State Office Building in Des Moines, Iowa.

Seventy-four public comments were received via E-mail, letters, telephone calls and oral presentations. Twenty-six comments were in general support of the proposed amendments. One comment was neutral regarding the proposed amendments, and 47 comments were opposed to the proposed amendments, particularly the amendment to increase the percentage of reservable campsites to 75 percent.

Recurring comments in opposition to the amendments included concern that, if reservable campsites are increased to 75 percent, the state will lose revenue because many campsites will be vacant; spontaneity for last minute camping will be reduced; people will be unable to plan that far in advance; local citizens who can run out to the park and register without the need for making a reservation will lose out; only the poorer quality campsites will be left; those who do not own a computer to make reservations will be at a disadvantage; and government control will increase and use will be restricted. Some individuals expressed the opinion that 50 percent reservable campsites is a fair percentage. A few individuals commented that they would like to see the reservation system shut down completely, and several comments expressed the desire to charge out-of-state users a fee.

In response to the public comments received, one change has been made to the amendments that were published under Notice of Intended Action. In Items 1 and 4, a range of no less than 50 percent of campsites and up to no more than 75 percent of campsites in each individual campground shall be designated as reservable sites on the reservation system. This change will allow some campgrounds to remain at 50 percent reservable campsites and other campgrounds to add campsites to the reservation system as long as the percentage does not exceed 75.

These amendments are intended to implement Iowa Code sections 461A.3, 461A.47, 461A.48, 461A.50 and 461A.57.

These amendments will become effective February 16, 2011.

The following amendments are adopted.

ITEM 1. Amend subparagraph **61.3(2)“b”(2)** as follows:

(2) ~~Fifty percent~~ No less than 50 percent and up to no more than 75 percent of the total number of campsites in each individual campground shall be designated as reservable sites on the reservation system. The determination of which campsites shall be included in the ~~50 percent~~ reservable designation shall be the responsibility of the park staff in each park. Park staff shall include a combination of electric, nonelectric and sewer/water sites while taking into consideration campsite characteristics such as location, shade and size. The department ~~shall~~ will review the percentage of reservable sites and usage on a biennial basis and determine whether the percentage of reservable campsites should be changed. A reservable campsite ~~shall~~ will be identified with a reservable site marker on the campsite post.

ITEM 2. Amend subrule 61.3(4) as follows:

61.3(4) Reservation transaction fees.

a. *Reservation fee.* A nonrefundable reservation fee shall be charged for each reservation made per campsite or rental facility regardless of the length of stay. The one-time fee is per reservation and is not charged per day or night. This fee is in addition to the camping fees or rental fees established in subrules 61.4(1) and 61.5(1). The reservation fee varies depending upon the method used when the reservation is made.

(1) Internet reservation — \$4 + ~~3 percent credit card processing fee (if applicable).~~

(2) Telephone reservation — \$6 + ~~3 percent credit card processing fee (if applicable).~~

b. *Change fee.* A fee of ~~\$5 + 3 percent credit card processing fee (if applicable)~~ shall be charged to change an existing reservation.

(1) Reservation change made through the Internet — \$5.

(2) Reservation change made over the telephone — \$7.

c. *Cancellation fee.* A fee of ~~\$5~~ shall be charged to cancel a reservation.

(1) Reservation cancellation made through the Internet — \$5.

(2) Reservation cancellation made over the telephone — \$7.

ITEM 3. Amend subparagraph **61.3(5)“b”(2)** as follows:

(2) Rentals for October 1 to April 30. The reservation window for rental facilities is 12 months to ~~14~~ 7 days prior to the arrival date.

ITEM 4. Amend paragraph **62.4(2)“b”** as follows:

b. ~~Fifty percent~~ No less than 50 percent and up to no more than 75 percent of the total number of campsites in each individual campground shall be designated as reservable sites on the reservation system. The determination of which campsites shall be included in the ~~50 percent~~ reservable designation shall be the responsibility of the park staff in each park. Park staff shall include a combination of electric, nonelectric and sewer/water sites while taking into consideration campsite characteristics such as location, shade, and size. The department ~~shall~~ will review the percentage of reservable sites and usage on a biennial basis and determine whether the percentage of reservable campsites should be changed. A reservable campsite ~~shall~~ will be identified with a reservable site marker on the campsite post.

ITEM 5. Amend subrule 62.4(4) as follows:

62.4(4) Reservation transaction fees.

a. *Reservation fee.* A nonrefundable reservation fee shall be charged for each reservation made per campsite regardless of the length of stay. The one-time fee is per reservation and is not charged per day or night. This fee is in addition to the camping fees established in 571—subrule 61.4(1). The reservation fee varies depending upon the method used when the reservation is made.

(1) Internet reservation — \$4 + ~~3 percent credit card processing fee (if applicable).~~

(2) Telephone reservation — \$6 + ~~3 percent credit card processing fee (if applicable).~~

b. *Change fee.* A fee of ~~\$5 + 3 percent credit card processing fee (if applicable)~~ shall be charged to change an existing reservation.

(1) Reservation change made through the Internet — \$5.

(2) Reservation change made over the telephone — \$7.

c. *Cancellation fee.* A fee of ~~\$5~~ shall be charged to cancel a reservation.

(1) Reservation cancellation made through the Internet — \$5.

(2) Reservation cancellation made over the telephone — \$7.

[Filed 12/17/10, effective 2/16/11]

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